

A SUBSTITUTE ORDINANCE

07-O-0465

AS AMENDED BY FINANCE AND EXECUTIVE COMMITTEE

AN ORDINANCE AUTHORIZING THE MAYOR, ON BEHALF OF THE CITY OF ATLANTA ("CITY"), TO ACQUIRE APPROXIMATELY 4.0 ACRES OF PROPERTY LOCATED ON WATERFORD ROAD ATLANTA, GEORGIA, PARCEL IDENTIFICATION NUMBERS 14-0240-0001-012, 14-0240-0001-013, 14-0240-0001-014, 14-0240-0001-015, 14-0240-0001-016, AND 14-0240-0001-017 ("THE WATERFORD ROAD PROPERTY"), FROM THE ATLANTA FULTON COUNTY LAND BANK AUTHORITY ("LBA"), IN EXCHANGE FOR THE CITY REIMBURSING "LBA" TO PERFORM QUIET TITLE FOR EACH PARCEL AND FOR THE CITY TO DEVELOP THE PARK, IN AN AMOUNT NOT TO EXCEED EIGHTY THOUSAND DOLLARS (\$80,000.00), FOR THE PURPOSE OF CREATING A NEW PASSIVE PARK IN CITY COUNCIL DISTRICT 9. ALL COSTS SHALL BE PAID FROM 1C28 (GENERAL GOVERNMENT CAPITAL OUTLAY FUND BUDGE) 774001 (FACILITIES OTHER THAN BUILDINGS) Y63F060392BG (CITY WIDE GREENWAY TRAILS PROJECT) AND AMENDING THE 2007 GENERAL GOVERNMENT CAPITAL OUTLAY FUND BUDGET DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT BY TRANSFERRING BETWEEN ACCOUNTS THE SUM OF EIGHTY THOUSAND DOLLARS (\$80,000.00); AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta ("City") desires to create a new passive park in Council District 9 on Waterford Road, and such property is currently in the possession of the Atlanta Fulton County Land Bank Authority's ("LBA") inventory; and

WHEREAS, LBA'S inventory list consists of six parcels of property, totaling approximately 4.0 acres, Parcel Identification Numbers 14-0240-0001-012; 14-0240-0001-013; 14-0240-0001-014; 14-0240-0001-015; 14-0240-0001-016; and 14-0240-0001-017 ("The Waterford Road Property") (See Exhibit "A") all located on Waterford Road; and

WHEREAS, the LBA has agreed to convey the aforesaid Property to the City in exchange for reimbursement of LBA's costs to secure Quiet Title, subject to the appropriate City approval processes; and

WHEREAS, acquiring the Property is consistent with the City's goal of greenspace acquisition, preservation and the creation of additional parks.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS, as follows:

SECTION 1: The Chief Procurement Officer or his designee, on behalf of the City, is hereby authorized to negotiate with the Atlanta Fulton County Land Bank Authority Land

to acquire approximately 4.0 acres of real property located on Waterford Road Atlanta, Georgia, Parcel Identification Numbers 14-0240-0001-012, 14-0240-0001-013, 14-0240-0001-014, 14-0240-0001-015, 14-0240-0001-016, and 14-0240-0001-017 (known as "The Waterford Road Property").

SECTION 2: The Chief Procurement Officer or his designee is hereby authorized to obtain or review surveys, title reports, environmental assessments, and appraisals to establish the suitability of the Waterford Road Property. In addition, the Chief Procurement Officer or his designee is authorized to obtain and pay for those items and services necessary to purchase the Property, including but not limited to title insurance, real estate service fees, , cleanup, closing costs and other costs of acquisition and development ("The City's Due Diligence, Purchase Services and Development Costs").

SECTION 3: The 2007 General Government Capital Outlay Fund Budget, Department of Planning and Community Development is hereby amended as follows:

TRANSFER FROM APPROPRIATIONS

1C28	General Government Capital Outlay Fund	
792001	Reserve Development Recoupment Fees	
T31X04109991	Administrative Parks West	
TOTAL		\$80,000.00

TRANSFER TO APPROPRIATIONS

1C28	General Government Capital Outlay Fund	
774001	Facilities Other Than Buildings	
Y63F060392BG	City Wide Greenway Trails Project	
TOTAL		\$80,000.00

SECTION 4: The City's cost to reimburse the Atlanta Fulton County Land Bank for their costs to secure Quiet Title, plus the City's Due Diligence and Purchase Services and Development Costs, in an amount not to exceed eighty thousand dollars (\$80,000.00) shall be paid from 1C28 (General Government Capital Outlay Fund) 774001 (Facilities Other than Buildings) Y63F060392BG (City Wide Greenway Trails Project).

SECTION 5: Upon acquisition, the Department of Parks, Recreation, and Cultural Affairs, Bureau of Parks, is hereby charged with all responsibility for the Property.

SECTION 6: The City's Greenspace Acquisition Consultant, ("the Consultant") is authorized to settle the acquisition of the Waterford Road Property in an amount authorized by the Chief Procurement Officer. The Consultant may also arrange and negotiate for the Due Diligence and Purchase Services.

SECTION 7: The requirements of the City Code Section 2-1541 (d), of the Procurement and Real Estate Code, are waived to allow the purchase of the Property on behalf of the City without further authorization by the City Council.

SECTION 8: The Mayor, on behalf of the City, is authorized to execute any and all deeds, instruments or other documents that the Law Department deems to be necessary or advisable in order to carry into effect the intent of this ordinance.

SECTION 9: The City Attorney is hereby directed to prepare for execution by the Mayor, any and all deeds, instruments, or other documents that the City Attorney deems necessary or advisable to carry into effect the intent of this ordinance.

SECTION 10: Said deeds, instruments, or other documents shall not become binding upon the City, and the City shall incur neither obligation nor liability thereunder, until the same has been signed by the Mayor, attested to by the Municipal Clerk, approved as to form by the City Attorney.

SECTION 11: All ordinances and parts of ordinances in conflict herewith are hereby waived for purposes of this Ordinance only, and only to the extent of the conflict.

**AN ORDINANCE BY
FINANCE AND EXECUTIVE COMMITTEE**

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TRANSFER FROM APPROPRIATIONS

1C28	General Government Capital Outlay Fund	
792001	Reserve Development Recoupment Fees	
T31X04109991	Administrative Parks West	
TOTAL		\$80,000.00

TRANSFER TO APPROPRIATIONS

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774001	Facilities Other Than Buildings	
Y63F060392BG	City Wide Greenspace Program	
TOTAL		\$80,000.00

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SECTION 7: The requirements of the City Code Section 2-1541 (d), of the Procurement and Real Estate Code, are waived to allow the purchase of the Property on behalf of the City without further authorization by the City Council.

SECTION 8: The Mayor, on behalf of the City, is authorized to execute any and all deeds, instruments or other documents that the Law Department deems to be necessary or advisable in order to carry into effect the intent of this ordinance.

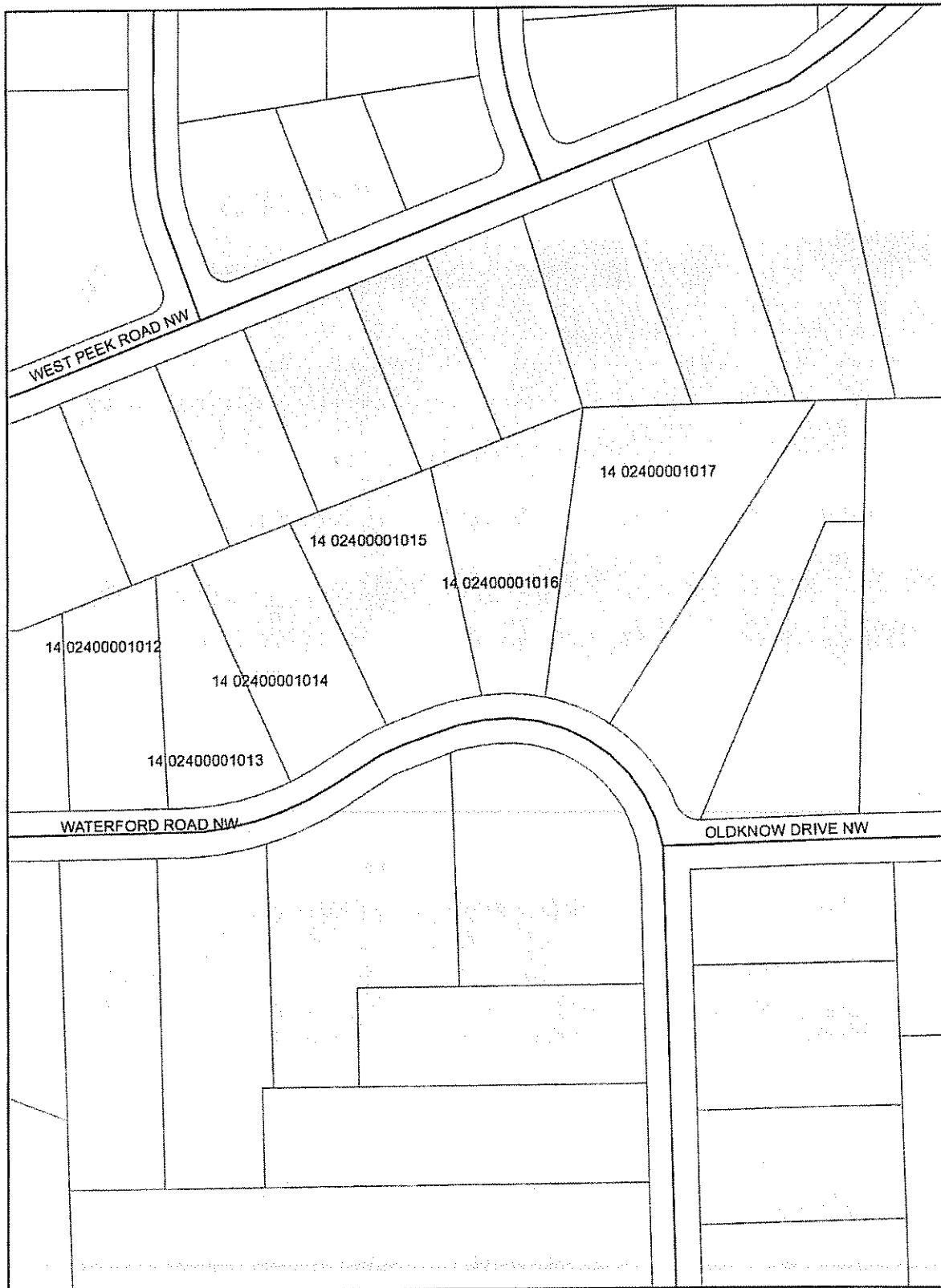
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Waterford Road Acquisition

EXHIBIT A
PAGE 1 OF 2



Source: Park Design

© 2005 Google

Eye alt 1019 ft

Streaming 100%

© 2007 Navteq

Pointer lat 33.772480° lon -84.485718°



Wipeek Rd NW

Waterford Rd NW



Part II: Legislative White Paper: (This portion of the Legislative Request Form will be shared with City Council members and staff)

A. To be completed by Legislative Counsel:

Committee of Purview: Finance and Executive

Caption: AN ORDINANCE AUTHORIZING THE MAYOR, ON BEHALF OF THE CITY OF ATLANTA ("CITY"), TO ACQUIRE APPROXIMATELY 4.0 ACRES OF PROPERTY LOCATED ON WATERFORD ROAD ATLANTA, GEORGIA, PARCEL IDENTIFICATION NUMBERS 14-0240-0001-012, 14-0240-0001-013, 14-0240-0001-014, 14-0240-0001-015, 14-0240-0001-016, AND 14-0240-0001-017 ("THE WATERFORD ROAD PROPERTY"), FROM THE ATLANTA FULTON COUNTY LAND BANK AUTHORITY ("LBA"), IN EXCHANGE FOR THE CITY REIMBURSING "LBA" TO PERFORM QUIT TITLE FOR EACH PARCEL AND FOR THE CITY TO DEVELOP THE PARK, IN AN AMOUNT NOT TO EXCEED EIGHTY THOUSAND DOLLARS (\$80,000.00), FOR THE PURPOSE OF CREATING A NEW PASSIVE PARK IN CITY COUNCIL DISTRICT 9. ALL COSTS SHALL BE PAID FROM 1C28 (GENERAL GOVERNMENT CAPITAL OUTLAY FUND BUDGE) 574001 (FACILITIES OTHER THAN BUILDINGS) Y63F060392BG (CITY WIDE GREENSPACE PROGRAM) AND AMENDING THE 2007 GENERAL GOVERNMENT CAPITAL OUTLAY FUND BUDGET DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT BY TRANSFERRING BETWEEN ACCOUNTS THE SUM OF EIGHTY THOUSAND DOLLARS (\$80,000.00); AND FOR OTHER PURPOSES.

Council Meeting Date: April 16, 2007

Requesting Dept.: Parks, Recreation, and Cultural Affairs

B. To be completed by the Department :

1. Please provide a summary of the purpose of this legislation (Justification Statement).

Example: The purpose of this legislation is to anticipate funds from a local assistance grant to purchase child safety seats.

- ☐ The purpose of this legislation is to authorize the City to acquire land for the creation of a new passive park in Council District 9 on Waterford Road. The property is currently in the Atlanta Fulton County Land Bank Authority's (LBA) inventory and consists of six parcels totaling approximately 4.0 acres. The Parcel ID numbers are 14-0240-0001-012, 14-0240-0001-013, 14-0240-0001-014, 14-0240-0001-015, 14-0240-0001-016 and 14-0240-0001-017 all located on Waterford Road. The LBA has agreed to convey these parcels to the City of Atlanta in exchange for reimbursement of their costs to perform Quiet Title for each parcel.

2. Please provide background information regarding this legislation.

The District 9 Atlanta City Council Member and the community identified these six parcels on Waterford Road as being desirable for the creation of a passive neighborhood park. The property is heavily forested and a beautiful asset to the community. The Atlanta Fulton County Land Bank Authority currently has the parcels in their inventory and has agreed to convey them to the City of Atlanta for the creation of a passive park.

3. If Applicable/Known:

- (a) **Contract Type (e.g. Professional Services, Construction Agreement, etc):** N/a

(b) **Source Selection:**

(c) **Bids/Proposals Due:**

(d) **Invitations Issued:**

(e) **Number of Bids:**

(f) **Proposals Received:**

(g) **Bidders/Proponents:**

(h) **Term of Contract:**

☐ **4. Fund Account Center:**

☐ Funds in an amount not to exceed \$80,000.00 will be needed from Parks Impact Fee West to pay to reimburse the LBA for their costs to secure Quiet Title, the City's due diligence and purchase services and passive recreational improvements. The 2006 General Government Capital Outlay Fund Budget Department of Planning and Community Development is to be amended as follows:

TRANSFER FROM APPROPRIATIONS
IMPACT FEE

1C28 792001 T31X04109991	Reserve Development Recoup. Fees	<u>\$80,000.00</u>
	Parks West	
	General Government Capital Outlay Fund	
	Reserve; Designation	
	Administration Development Recoupment Fees	

TRANSFER TO APPROPRIATIONS
IMPACT FEE

1C28 774001 Y63F060392BG	City Wide Green Way Trails Project	<u>\$80,000.00</u>
	General Government Capital Outlay Fund	
	Facilities Other Than Buildings	
	City Wide Green Way Trails Project	

5. Source of Funds:

6. Fiscal Impact:

Yes, this legislation will result in a reduction in the amount of \$80,000.00 from IMPACT FEE 1C28 (Reserve) 792001 (Designated Admin.) T31X04109991 (Recoupment Fees) to IMPACT FEE 1C28 (Reserve) 774001 (Facilities Other than Buildings City Wide) Y63F060392BG (Green Way Trails Project).

7. Method of Cost Recovery: N/A

This Legislative Request Form Was Prepared By: Ellen Wickersham, Atlanta Development Authority
and Debra F. Harris, M.A., Department of Parks, Recreation and Cultural Affairs

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Legislative Counsel (Signature): Terry Grandison

Contact Number: 404-330-6946

Originating Department: Parks, Recreation, and Cultural Affairs

Committee(s) of Purview: Finance and Executive

Council Deadline: February 26, 2007

Anticipated Committee Meeting Date(s): March 13 & 27, 2007

Anticipated Full Council Date: April 16, 2007

Commissioner Signature [Signature]

Chief Procurement Officer Signature _____

CAPTION

AN ORDINANCE AUTHORIZING THE MAYOR, ON BEHALF OF THE CITY OF ATLANTA ("CITY"), TO ACQUIRE APPROXIMATELY 4.0 ACRES OF PROPERTY LOCATED ON WATERFORD ROAD ATLANTA, GEORGIA, PARCEL IDENTIFICATION NUMBERS 14-0240-0001-012, 14-0240-0001-013, 14-0240-0001-014, 14-0240-0001-015, 14-0240-0001-016, AND 14-0240-0001-017 ("THE WATERFORD ROAD PROPERTY"), FROM THE ATLANTA FULTON COUNTY LAND BANK AUTHORITY ("LBA"), IN EXCHANGE FOR THE CITY REIMBURSING "LBA" TO PERFORM QUITE TITLE FOR EACH PARCEL AND FOR THE CITY TO DEVELOP THE PARK, IN AN AMOUNT NOT TO EXCEED EIGHTY THOUSAND DOLLARS (\$80,000.00), FOR THE PURPOSE OF CREATING A NEW PASSIVE PARK IN CITY COUNCIL DISTRICT 9. ALL COSTS SHALL BE PAID FROM 1C28 (GENERAL GOVERNMENT CAPITAL OUTLAY FUND BUDGE) 574001 (FACILITIES OTHER THAN BUILDINGS) Y63F060392BG (CITY WIDE GREENSPACE PROGRAM) AND AMENDING THE 2007 GENERAL GOVERNMENT CAPITAL OUTLAY FUND BUDGET DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT BY TRANSFERRING BETWEEN ACCOUNTS THE SUM OF EIGHTY THOUSAND DOLLARS (\$80,000.00); AND FOR OTHER PURPOSES.

FINANCIAL IMPACT (if any)

Mayor's Staff Only

Received by CPO: _____
(date)

Received by LC from CPO: _____
(date)

Received by Mayor's Office: 2-27-07
(date)

Reviewed by: [Signature]
(date)

Submitted to Council: 3/2/07
(date)

AMENDMENT FORM

COMMITTEE: FINANCE/EXECUTIVE

PAGE NUMBER(S): _____

ORDINANCE I.D. # (S): 07-0-0465

SECTION #: _____

RESOLUTION I.D. #: _____

PARAGRAPH: _____

DATE: 3/28/7

INITIAL: SP

OK
In the caption and any where it occurs in the
pages, replace the number "574001" with "774001"